

The City Council of the City of Mattoon held a regular meeting in the Council Chambers at City Hall on March 16, 2004 at 7:02 p.m. after a 6:30 p.m. caucus session.

Mayor Carter presiding.

Mayor Carter led the Pledge of Allegiance to the United States of America.

The following members of the Council answered roll call: YEA Commissioner Mark Donnell, YEA Commissioner Harold Gambill, YEA Commissioner Jerrold Hesse, YEA Commissioner David Schilling, YEA Mayor David E. Carter.

Commissioner Donnell seconded by Commissioner Schilling moved to approve the minutes of the Regular Meeting held on March 2, 2004.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Schilling seconded by Commissioner Donnell moved to approve the department reports of Police Department for the month of January, Library Board for the month of February and Fire Department for January and February.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Schilling seconded by Commissioner Gambill moved to approve the bills and payroll for the first half of March.

Bills and Payroll first half of March

General Fund

Payroll		\$ 212,853.30
Bills		<u>\$ 53,988.60</u>
	Total	\$ 266,841.90

Hotel Tax Fund

Payroll		\$ 943.41
Bills		<u>\$ 134.27</u>
	Total	\$ 1,077.68

Festival Management

Bills		<u>\$ 350.00</u>
	Total	\$ 350.00

Insurance & Tort Judgment

Bills		\$ 4,320.00
	Total	\$ 4,320.00

Capital Project

Bills		\$ 7,237.42
		\$ 7,237.42

Water Fund

Payroll		\$ 29,361.76
Bills		\$ 18,963.37
	Total	\$ 48,325.13

Sewer Fund

Payroll		\$ 36,251.01
Bills		\$ 49,637.69
	Total	\$ 85,888.70

Cemetery Fund

Payroll		\$ 4,144.87
Bills		\$ 90.86
	Total	\$ 4,235.73

Health Insurance Fund

Bills		\$ 79,909.55
	Total	\$ 79,909.55

Motor Fund Tax Fund

Bills		\$ 873.46
	Total	\$ 873.46

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Mayor Carter seconded by Commissioner Donnell gave approval for HOME Rehabilitation Project bills to be paid.

921 N 11 th Street	\$3,550	Illinois Custom Contractors (Partial Const.)
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Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Donnell seconded by Commissioner Schilling moved to adopt Resolution 2004-2545, authorizing a five-year extension at \$900 per year for the lease for the operation of the Miniature Golf Course at Peterson Park to Vincent Walk.

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2004-2545

A RESOLUTION AUTHORIZING A FIVE YEAR EXTENSION TO THE LEASE FOR THE OPERATION OF THE MINIATURE GOLF COURSE AT PETERSON PARK

WHEREAS, Vincent S. Walk, owner of Vinne & Al's Pla-Mor Golf, has made a timely request for a 5-year extension to the lease that was assigned to him by Charles and Ann Brown on December 12, 2000 and approved by the City Council by Ordinance 2000-5045; and

WHEREAS, said lease grants an option to renew for an additional five years subject only to the amount of rent to be paid during the extension term; and

WHEREAS, Commissioner Mark Donnell negotiated a \$100 dollar increase in the annual rent payable pursuant to the lease for the extension term.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, that the Mayor is hereby authorized to execute a document of a form prepared by the City Attorney and Treasurer approving a five year extension to said lease at a rental rate of \$900.00 per year.

Upon motion by Commissioner Donnell, seconded by Commissioner Schilling, adopted this 16th day of March, 2004, by a roll call vote, as follows:

AYES (Names): Commissioner Donnell, Commissioner Gambill, Commissioner Schilling,
Mayor Carter

ABSTAIN (Names): Commissioner Hesse

ABSENT (Names): None

Approved this 16th day of March 2004.

/s/ David E. Carter

David Carter, Mayor

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM

/s/ Susan J. O'Brien

Susan O'Brien, City Clerk

/s/ J. Preston Owen

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on March 17, 2004.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Mayor Carter seconded by Commissioner Gambill moved to adopt Resolution 2004-2546 approving supplements, changes and updates to the Occupational Safety and Health Manual.

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2004-2546

A RESOLUTION APPROVING SUPPLEMENTS, CHANGES & UPDATES TO THE OCCUPATIONAL SAFETY AND HEALTH MANUAL

WHEREAS, at a meeting held March 11, 2004, the Safety Committee considered and recommended updates to the Occupational Safety and Health Manual that change or supplement the manual approved by prior resolutions of the City Council; and

WHEREAS, it is now necessary for the City Council to consider these supplements, changes and updates.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS AS FOLLOWS:

Section 1. Narrative in “Standard Operating Procedures for Occupational Injuries and Illnesses” is hereby repealed and reenacted as follows:

Non-Life Threatening or Non-Serious Injuries

In the event an employee receives an injury that requires medical treatment or evaluation, the employee’s supervisor shall contact the Secretary of the Safety Committee to arrange an appointment with occupational health or medical clinic. The employee may ~~must never be allowed to~~ transport himself / herself, or arrange for transportation, to or from the clinic for initial treatment or evaluation.

~~The supervisor of the injured employee must remain at the clinic/emergency room until the injured employee has been treated and evaluated by the physician or health professional. If necessary, the supervisor may need to arrange for transportation of the injured employee back to work or to his home.~~

Section 2. A “Supervisor’s Report of Work Injury or Illness”, attached hereto as an exhibit, is substituted for the Supervisor’s Report approved by Resolution 2004-2537.

Section 3. The mayor and city clerk are authorized to sign a “Workplace Violence Policy Statement”, a copy of which is attached hereto and incorporated by reference.

Section 4. The mayor and city clerk are authorized to sign a “Standard Operating Procedures for Manual Material Handling”, a copy of which is attached hereto and incorporated by reference.

Upon motion by Mayor Carter, seconded by Commissioner Gambill, adopted this 16th day of March, 2004, by a roll call vote, as follows:

AYES (Names): Commissioner Donnell, Commissioner Gambill,
Commissioner Hesse, Commissioner Schilling
Mayor Carter

NAYS (Names): None

ABSENT (Names): None

APPROVED this 16th day of March 2004.

/s/ David E. Carter

David E. Carter, Mayor

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan O'Brien

Susan O'Brien, City Clerk

/s/ J. Preston Owen

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on March 17th, 2004.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Gambill seconded by Commissioner Schilling moved to approve Council Decision Request 2004-275, reporting bids received for the demolition of the Youth Cabin Structures at Lake Paradise.

Mayor Carter opened the floor for discussion.

Commissioner Donnell seconded by Mayor Carter moved to amend the motion to approve and move to authorize procedures necessary to prepare the Girls Scout Cabin site for competitive bidding of a lease of the site which would include eventual demolition of the building.

Council and City Administrator Underkofler discussed the lease and boundaries.

Mayor Carter declared the motion to amend CDR 2004-275 carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, NAY Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Mayor Carter declared the amended motion of CDR 2004-275 carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, NAY Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Hesse seconded by Commissioner Schilling moved to approve Council Decision Request 2004-283, authorizing the Police Chief to order replacement police vehicles for delivery after May 1, 2004 at prices available to local governments established by joint purchase agreement with the State of Illinois.

Mayor Carter opened the floor for discussion. Council with input from Police Chief Plummer discussed funds to cover the cost of the vehicles, the necessity to replace the vehicles, number in total fleet, replacement strategies, security on new vehicles, and loan payments on previously purchased vehicles.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Donnell seconded by Commissioner Schilling moved to approve Council Decision Request 2004-284, authorizing the Fire Chief to submit a grant application to FEMA for a replacement Ladder Truck estimated to cost \$425, 000 and pledging a 10% cash matching share in next year's budget.

Mayor Carter opened the floor for discussion. Council with input from Fire Chief Grafton discussed the projected City's portion of the grant, justification of increased insurance rates, and projection of increase in rates.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Donnell seconded by Commissioner Gambill moved to approve Council Decision Request 2004-285, authorizing the Mayor to sign a \$13,444 agreement with Central States Fireworks to acquire fireworks for the 4th of July Program at Coles County Airport. Charleston is expected to underwrite 50% of this cost. Mattoon's share would be financed by hotel/motel tax funds, which would come out of Festival Management.

Mayor Carter opened the floor for discussion. Council discussed the cost of fireworks and additional amount of fireworks for less cost.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Donnell seconded by Commissioner Gambill moved to approve Council Decision Request 2004-286, approving grants from hotel/motel tax funds recommended by the Tourism Advisory Committee:

- \$5,000 to American Legion Post 88 for the Firecracker Classic Baseball Tournament
- \$3,500 to Mattoon Babe Ruth Association for the 12 Year Old Illinois State Tournament
- \$13,000 to Mattoon Babe Ruth Association for the 15 Year Old Ohio Valley Regional Tournament
- \$2,000 to Charleston Tourism and Eastern Illinois University for the IHSA Track Spring Spectacular
- 5,000 to Coles County Airport Authority for 2004 Air Show

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Donnell seconded Commissioner Schilling moved to approve Council Decision Request 2004-287, authorizing the Park Superintendent to order a replacement mower for \$6,495 (net of trade-in allowance) deferring payment until after May 1, 2004. Repair costs for the mower to be traded would be \$2,700.

Mayor Carter opened the floor for discussion. Council with input from Public Works Director Wortman discussed the excess equipment, other trade-ins, necessity of mower, location of usage at the parks and ballfields, the reduction of mowing costs, labor force involved with mowing, and bid opening with results at next Council meeting.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Mayor Carter opened the floor for public discussion. Council discussed complaints received with regard to nuisances, the request by Council to initiate an early cleanup process, and nuisance officer's need for assistance. Jackie Record inquired about the Beautification Committee's meetings with a response from Council that they meet twice a year for promotion of the City Cleanup Days.

Mayor Carter seconded by Commissioner Schilling moved to adjourn to executive session at 7:24 p.m. to discuss matters that may lawfully be discussed in closed session: topic pertaining to personnel, real estate or potential litigation including review of Council Decision Request 2004-288; discussion and possible action about a communication from Police Benevolent and Protection Association, Mattoon Unit 35, seeking to collectively bargain over a budget strategy to cap Employer contributions to the retiree health plan at \$250 per month for single coverage and \$500 per month for family coverage for employees who retire after May 1, 2004; review performance appraisal reports for Richard Underkofler, City Administrator.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Reconvened at 8:44 p.m.

Mayor Carter seconded by Commissioner Schilling moved to approve Council Decision Request 2004-288, authorizing the retention of Donald J. Kreger of the Schiff Hardin law firm of Chicago as special counsel to help defend the municipality in Circuit Court Case 2004-CH-19.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Mayor Carter seconded by Commissioner Donnell moved to adjourn at 8:45 p.m.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

/s/ Susan J. O'Brien
City Clerk